

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 49 – HB 229

April 21, 2012

SUMMARY OF AMENDMENT (013313): Requires each local education agency (LEA) to adopt policies and procedures that will ensure that all classroom instruction, course materials, and other informational resources that address the subject of human sexuality are age-appropriate. Requires that any classroom instruction, course materials, or other informational resources in grades kindergarten through eight, that are not consistent with natural human reproduction, shall be classified as inappropriate for the student audience and prohibited. Requires that LEA policies and procedures adopted in this subject area shall not prohibit an instructor who answers in good faith, any question or a series of questions, that a student asks, that are germane, and material to the course; any school counselor, nurse, or other authorized employee of the LEA from counseling a student who is engaging in, or who may be at risk of engaging in, behavior that would be injurious to the physical or mental health and well being of the student or another person; or any school counselor, nurse, or other authorized LEA employee from appropriately responding to a student whose circumstances present issues involving human sexuality. Requires each LEA to adopt their policies and procedures by July 16, 2013, and file a written report of compliance with the Commissioner of Education.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal impact.

Assumptions applied to amendment:

- According to the Comptroller, a 2007 survey of LEAs revealed that a majority of LEAs teach age-appropriate topics as based on the Department of Education's Healthful Living curriculum.
- LEAs will adopt new policies and procedures in the normal course of business without an increase in meetings or a significant increase in local expenditures for meeting materials.

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- Any increase in LEA expenditures to purchase or remove materials that will not be considered age-appropriate under the new policies will be not significant.
- Any increase in state or local expenditures to file or receive LEA compliance forms after July 16, 2013, will be not significant and may be done electronically.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

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